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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,589	12/04/2001	Shin Yamade	II7448US	5168

22203 7590 08/23/2005

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EXAMINER

LAZARO, DAVID R

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,589

Applicant(s)

YAMADE ET AL.

Examiner

David Lazaro

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/2/05</u> . | 6) <input type="checkbox"/> Other: _____  |

PD

### **DETAILED ACTION**

1. This office action is in response to the amendment filed 06/02/2005.
2. Claims 1, 3, 5, 6, 8 and 10 were amended.
3. Claims 1-10 are pending in this office action.

### ***Response to Amendment/Arguments***

4. Applicant's arguments with respect to claims 1-10 have been fully considered but are moot in view of the new ground(s) of rejection.
5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 5, 6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Regarding claims 1, 5, 6, and 10, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Each of the claims state the phrases "such as acceptance/giving..." and "such as said user ID...".

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,275,811 by Ginn et al. (Ginn) in view of "Slashdot FAQ on Comments and Moderation" from June 2000 (Slashdot).

11. With respect to Claim 1, Ginn teaches a WWW server on the Internet enabling browsing and/or evaluation of information provided in relation to a proposed theme, as well as managing users' points accompanying proposal, provision, browsing and/or evaluation of the information; said users accessing said server through respective user terminals being managed by respective user IDs; said each user ID being made to correspond to points which increase/decrease according to such as acceptance/giving of various information through said WWW server; and user information such as said user ID and said points being recorded to an appropriate database, wherein said WWW server comprises the following items (1)-(9):

(1) in accordance with an operational input of a first user through the user terminal, the server sends, to said user terminal, data for generating an input-accepting screen for inputting a theme for collecting information (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(2) the server accepts said information-collecting theme inputted through said input-accepting screen displayed on said user terminal, and records the theme to an appropriate storage means (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(3) in accordance with an operational input of a second user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and for accepting input of information relating to said theme (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(4) the server records, to said storage means, said theme-related information inputted through said information-accepting screen displayed on said user terminal (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(5) in accordance with an operational input of a third user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and said theme-related information (Col. 5 lines 43-51 and Col. 1 lines 11-35);

(6) the server decreases the points of the third user who browsed said theme-related information, and records this to said database (Col. 10 lines 19-25 and lines 65-67 and Col. 11 lines 12-27)

(8) the server accepts the third user's evaluation of said theme-related information through said user terminal, and records the evaluation to said storage means (Col. 6 line 40-56 and Col. 7 lines 5-25); and

(9) in accordance with the obtained evaluation result, the server calculates said points of said the second user who provided said theme-related information, and records this to said database (Col. 7 lines 5-25).

Ginn generally teaches points can be awarded to those who contribute information that is considered to be valuable to an information community (Col. 3 lines 24-64 and Col. 7 lines 5-25).

Ginn does not explicitly disclose in accordance with said theme-related information being browsed, the server increases the points of the first user who proposed said theme, and records this to said database. Slashdot teaches points may be awarded to the first user who proposed the theme (Page 6 of 11, "What is Karma", particularly the second paragraph). These techniques aid in promoting quality information through recognition of both positive and negative contributions and management of award distribution (Pages 2 and 3, "Moderation seems restrictive...", and Page 5, last paragraph of "How did the moderation system develop?").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the server disclosed by Ginn and modify it as indicated by Slashdot such that the server further comprises (7) in accordance with said theme-related information being browsed, the server increases the points of the first user who proposed said theme, and records this to said database. One would be motivated to have this, as there is need for promoting quality information contributions (In Slashdot: Pages 2 and 3, "Moderation seems restrictive...") as well as addressing management of award distributions (In Ginn: Col. 2 lines 15-46).

12. With respect to Claim 2, Ginn in view of Slashdot teaches all the limitations of Claim 1 and further teaches wherein said evaluation of said theme-related information is said item (8) is a result of a vote accepted from said user terminal (In Ginn: Col. 6 line 40-56).

13. With respect to Claim 3, Ginn in view of Slashdot teaches all the limitations of Claim 1 and further teaches wherein the server decreases the points of the first user who proposed said information collection theme, and records this to said database (Col. 1 lines 11-35, Col. 10 lines 19-25 and lines 65-67 and Col. 11 lines 12-27).

14. With respect to Claim 4, Ginn in view of Slashdot teaches all the limitations of Claim 1 and further teaches wherein said calculations of said points in said item (9) is an addition process (In Ginn: Col. 7 lines 11-25 and Col. 5 lines 57-67).

15. With respect to Claim 5, Ginn teaches a WWW server on the Internet enabling browsing and/or evaluation of information provided in relation to a proposed theme, as well as managing users' points accompanying proposal, provision, browsing and/or evaluation of the information; said users accessing said server through respective user terminals being managed by respective user IDs; said each user ID being made to correspond to points which increase/decrease according to such as acceptance/giving of various information through said WWW server; and user information such as said user ID and said points being recorded to an appropriate database, wherein said WWW server comprises the following items (1)-(9):

- (1) in accordance with an operational input of a first user through the user terminal, the server sends, to said user terminal, data for generating an input-accepting screen for inputting a theme for collecting information (Col. 5 lines 24-43 and Col. 1 lines 11-35);
- (2) the server accepts said information-collecting theme inputted through said input-accepting screen displayed on said user terminal, and records the theme to an appropriate storage means (Col. 5 lines 24-43 and Col. 1 lines 11-35);
- (3) in accordance with an operational input of a second user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and for accepting input of information relating to said theme (Col. 5 lines 52-53 and Col. 1 lines 11-35);
- (4) the server records, to said storage means, said theme-related information inputted through said information-accepting screen displayed on said user terminal (Col. 5 lines 52-53 and Col. 1 lines 11-35);
- (5) in accordance with an operational input of a third user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and said theme-related information (Col. 5 lines 43-51 and Col. 1 lines 11-35);
- (6) a billing process to the third user who browsed said theme-related information is conducted (Col. 10 lines 42-44 and lines 65-67 and Col. 11 lines 12-20).
- (8) the server accepts the third user's evaluation of said theme-related information through said user terminal, and records the evaluation to said storage means (Col. 6 line 40-56 and Col. 7 lines 5-25); and



(9) in accordance with the obtained evaluation result, the server calculates said points of said the second user who provided said theme-related information, and records this to said database (Col. 7 lines 5-25).

Ginn generally teaches points can be awarded to those who contribute information that is considered to be valuable to an information community (Col. 3 lines 24-64 and Col. 7 lines 5-25).

Ginn does not explicitly disclose in accordance with said theme-related information being browsed, the server increases the points of the first user who proposed said theme, and records this to said database. Slashdot teaches points may be awarded to the first user who proposed the theme (Page 6 of 11, "What is Karma", particularly the second paragraph). These techniques aid in promoting quality information through recognition of both positive and negative contributions and management of award distribution (Pages 2 and 3, "Moderation seems restrictive...", and Page 5, last paragraph of "How did the moderation system develop?")

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the server disclosed by Ginn and modify it as indicated by Slashdot such that the server further comprises (7) in accordance with said theme-related information being browsed, the server increases the points of the first user who proposed said theme, and records this to said database. One would be motivated to have this, as there is need for promoting quality information contributions (In Slashdot: Pages 2 and 3, "Moderation seems restrictive...") as well as addressing management of award distributions (In Ginn: Col. 2 lines 15-46).

16. With respect to Claim 6, Ginn teaches a method for operating a WWW server connected to user terminals through the Internet in order to enable browsing and/or evaluation of information provided in relation to a proposed theme, as well as manage users' points accompanying proposal, provision, browsing and/or evaluation of the information; said users accessing said server through respective user terminals being managed by respective user IDs; said each user ID being made to correspond to points which increase/decrease according to such as such as acceptance/giving of various information through said WWW server; and user information such as said user ID and said points being recorded to an appropriate database, wherein said method for operating said WWW server comprises the following steps:

(A) a step of sending, in accordance with an operational input of a first user through the user terminal, the server sends, to said user terminal, data for generating an input-accepting screen for inputting a theme for collecting information (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(B) a step of accepting said information-collecting theme inputted through said input-accepting screen displayed on said user terminal, and records the theme to an appropriate storage means (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(C) a step of sending in accordance with an operational input of a second user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and for accepting input of information relating to said theme (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(D) a step of recording, to said storage means, said theme-related information inputted through said information-accepting screen displayed on said user terminal (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(E) a step of sending, in accordance with an operational input of a third user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and said theme-related information (Col. 5 lines 43-51 and Col. 1 lines 11-35);

(F) a step of decreasing the points of the third user who browsed said theme-related information, and records this to said database (Col. 10 lines 19-25 and lines 65-67 and Col. 11 lines 12-27);

(H) a step of accepting the third user's evaluation of said theme-related information through said user terminal, and records the evaluation to said storage means (Col. 6 line 40-56 and Col. 7 lines 5-25); and

(I) a step of calculating, in accordance with the obtained evaluation result, the server calculates said points of said the second user who provided said theme-related information, and records this to said database (Col. 7 lines 5-25).

Ginn generally teaches points can be awarded to those who contribute information that is considered to be valuable to an information community (Col. 3 lines 24-64 and Col. 7 lines 5-25).

Ginn does not explicitly disclose a step of increasing, in accordance with said theme-related information being browsed, the points of the first user who proposed said theme, and records this to said database. Slashdot teaches points may be awarded to

the first user who proposed the theme (Page 6 of 11, "What is Karma", particularly the second paragraph). These techniques aid in promoting quality information through recognition of both positive and negative contributions and management of award distribution (Pages 2 and 3, "Moderation seems restrictive...", and Page 5, last paragraph of "How did the moderation system develop?")

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Ginn and modify it as indicated by Slashdot such that the method further comprises (G) a step of increasing, in accordance with said theme-related information being browsed, the points of the first user who proposed said theme, and records this to said database. One would be motivated to have this, as there is need for promoting quality information contributions (In Slashdot: Pages 2 and 3, "Moderation seems restrictive...") as well as addressing management of award distributions (In Ginn: Col. 2 lines 15-46).

17. With respect to Claim 7, Ginn in view of Slashdot teaches all the limitations of Claim 6 and further teaches wherein said evaluation of said theme-related information in said step (H) is a result of a vote accepted from said user terminal (In Ginn: Col. 6 line 40-56).

18. With respect to Claim 8, Ginn in view of Slashdot teaches all the limitations of Claim 6 and further teaches wherein the points of the first user who proposed said information-collecting theme are decreased, and this is recorded to said database (Col. 1 lines 11-35, Col. 10 lines 19-25 and lines 65-67 and Col. 11 lines 12-27).

19. With respect to Claim 9, Ginn in view of Slashdot teaches all the limitations of Claim 6 and further teaches wherein said calculations of said points in said item (9) is an addition process (In Ginn: Col. 7 lines 11-25 and Col. 5 lines 57-67).

20. With respect to Claim 10, Ginn teaches a method for operating a WWW server connected to user terminals through the Internet in order to enable browsing and/or evaluation of information provided in relation to a proposed theme, as well as manage users' points accompanying proposal, provision, browsing and/or evaluation of the information; said users accessing said server through respective user terminals being managed by respective user IDs; said each user ID being made to correspond to points which increase/decrease according to such as such as acceptance/giving of various information through said WWW server; and user information such as said user ID and said points being recorded to an appropriate database, wherein said method for operating said WWW server comprises the following steps:

(A) in accordance with an operational input of a first user through the user terminal, the server sends, to said user terminal, data for generating an input-accepting screen for inputting a theme for collecting information (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(B) the server accepts said information-collecting theme inputted through said input-accepting screen displayed on said user terminal, and records the theme to an appropriate storage means (Col. 5 lines 24-43 and Col. 1 lines 11-35);

(C) in accordance with an operational input of a second user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said

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information-collecting theme and for accepting input of information relating to said theme (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(D) the server records, to said storage means, said theme-related information inputted through said information-accepting screen displayed on said user terminal (Col. 5 lines 52-53 and Col. 1 lines 11-35);

(E) in accordance with an operational input of a third user through the user terminal, the server sends, to said user terminal, data for generating a screen for displaying said information-collecting theme and said theme-related information (Col. 5 lines 43-51 and Col. 1 lines 11-35);

(F) a billing process to the third user who browsed said theme-related information is conducted (Col. 10 lines 42-44 and lines 65-67 and Col. 11 lines 12-20).

(H) the server accepts the third user's evaluation of said theme-related information through said user terminal, and records the evaluation to said storage means (Col. 6 line 40-56 and Col. 7 lines 5-25); and

(I) in accordance with the obtained evaluation result, the server calculates said points of said the second user who provided said theme-related information, and records this to said database (Col. 7 lines 5-25).

Ginn generally teaches points can be awarded to those who contribute information that is considered to be valuable to an information community (Col. 3 lines 24-64 and Col. 7 lines 5-25).

Ginn does not explicitly disclose a step of increasing, in accordance with said theme-related information being browsed, the points of the first user who proposed said

theme, and records this to said database. Slashdot teaches points may be awarded to the first user who proposed the theme (Page 6 of 11, "What is Karma", particularly the second paragraph). These techniques aid in promoting quality information through recognition of both positive and negative contributions and management of award distribution (Pages 2 and 3, "Moderation seems restrictive...", and Page 5, last paragraph of "How did the moderation system develop?")

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Ginn and modify it as indicated by Slashdot such that the method further comprises (G) a step of increasing, in accordance with said theme-related information being browsed, the points of the first user who proposed said theme, and records this to said database. One would be motivated to have this, as there is need for promoting quality information contributions (In Slashdot: Pages 2 and 3, "Moderation seems restrictive...") as well as addressing management of award distributions (In Ginn: Col. 2 lines 15-46).

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

22. U.S. Patent 6,052,723 by Ginn et al. "Method for aggregate control on an electronic network" April 18, 2000. Discloses group policy related as well as a point system for tracking user reputation.

23. U.S. Patent 6,064,978 by Gardner et al. "Question and Answer system using computer networks" May 16, 2000. Discloses a point system that related to a proposed question, comments or answers related to the question, and subsequent evaluation of the comments or answers.

24. U.S. Patent 6,405,175 by Ng "Shopping scouts web site for rewarding customer referrals on product and price information with rewards scaled by the number of shoppers using the information" June 11, 2002.

25. U.S. Patent 6,895,385 by Zacharia et al. "Method and system for ascribing a reputation to an entity as a rater of other entities" May 17, 2005. Discloses a method for produce a rater reputation through the use of rating predictabilities.

26. Kollock, Peter, "The production of trust in online markets", 1999, Advances in Group Processes, Vol. 16. Discloses general state of the art in relation to reputation systems including negative and positive systems. Also discloses some of the reputation system implemented by Ebay.

27. Zacharia, G. "Collaborative Reputation Mechanisms in Electronic Marketplaces", 1999, Proceedings of the 32<sup>nd</sup> Hawaii international Conference on System Sciences. Discloses reputation systems that rely on collaborative rating and personalized evaluation of ratings.

28. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

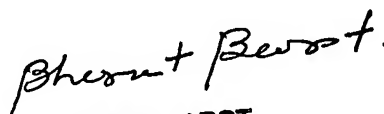
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro  
August 15, 2005



BHARAT BAROT  
PRIMARY EXAMINER